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and Second Series, Apparatus.* For other cases, see 9 Va.-W. Va. Enc. Dig. 129, 157.]

2. Appeal and Error (§ 1022 (3)*)—Findings of Commissioner—Review.—The commissioner's valuation of the property, based upon conflicting evidence taken before him and carefully considered, having been sustained by the circuit court, this court cannot properly overrule the report in that respect.

[Ed. Note.—For other cases, see 9 Va.-W. Va. Enc. Dig. 449.]

3. Limitation of Actions (§ 195 (3)*)—Burden of Proof.—The burden was on defendant to show that the cause of action arose more than the statutory period before the suit was brought.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 620.]

Appeal from Circuit Court, Botetourt County.

Suit by the O. D. McHenry Lumber Company against the Virginia Lumber & Extract Company to recover the value of the personal property which it is alleged defendant had wrongfully converted to its own use. From the decree entered, defendant appeals; plaintiff assigning cross-errors. Affirmed.

Caskie & Caskie, of Lynchburg, for appellant.

Haden & Haden, of Fincastle, for appellee.

GOOD *v.* GOOD.

Nov. 15, 1917.

[94 S. E. 176.].

Divorce (§ 133 (1)*)—Desertion—Sufficiency of Evidence.—In a wife's suit for divorce from bed and board for her husband's willful desertion for less than three years, evidence held sufficient to sustain the charge.

[Ed. Note.—For other cases, see 4 Va.-W. Va. Enc. Dig. 745.]

Appeal from Circuit Court, Rockingham County.

Suit for divorce by Arabella Good against John P. Good. From a decree for defendant, plaintiff appeals. Reversed, and decree entered granting divorce.

Chas. A. Hammer, of Harrisonburg, for appellant.

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.